

REMARKS

Claims 16-30 are pending in this application.

Applicants thank Examiner Pohnert for the telephone interview on May 5, 2009. In the interview, Applicants discussed their intention to submit the instant amendment to supplement the Preliminary Amendment and Response to Restriction filed May 4, 2009. As discussed in the interview, the instant supplemental amendment is being made to better clarify the nature of the claimed invention. The Examiner agreed to enter the supplemental amendment and to examine the claims, as amended herein, in view of the elections in the May 4, 2009 response.

The instant application provides for the diagnosis, prognosis and/or follow up of Parkinson's disease by detection of altered expression of a group of genes. In one embodiment, the application discloses a diagnostic method comprising detection of genes having increased level of expression and detection of genes having decreased level of expression. By way of the instant amendment, Applicants have amended the claims (i.e., claims 16-20, 23, 24, 27, 28 and 29) to better reflect such. Support can be found throughout the general disclosure and original claims. See, for instance, the disclosure at pages 8-9. No new matter has been added.

The supplemental amendment does not alter the elections (i.e., of Group I and the noted-group of genes) made

in the May 4, 2009 response. Accordingly, it is respectfully requested that the instantly amended claims be examined in view of the elections in the May 4, 2009 response.

In further traverse to the Restriction Requirement in the Office Action of April 2, 2009, it should be noted that the instant amendment excludes the detection of alteration of expression of a sole gene. Since Applicants have amended the claims such that altered expression of a group of genes is required for the detection of Parkinson's disease, the teaching of Galter et al. is no longer relevant to the unity of invention. Thus, it is believed that all of the claims now present in the case are directed to a single special technical feature that defines a contribution over the prior art and that unity of invention for Groups I and II should be recognized. For this reason, the restriction requirement should be withdrawn and such action is respectfully requested at this time.

Favorable action on the merits is solicited.

Appln. No. 10/586,523
Amd. dated May 6, 2009
Supplemental Reply to Office Action of April 2, 2009

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

Respectfully submitted,

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